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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,982	05/24/2001	Branimir Konstantinov Boguraev	YOR920010111US1	2635

7590 06/10/2005

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EXAMINER	
OPSASNICK, MICHAEL N	

ART UNIT	PAPER NUMBER
2655	

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/864,982	BOGURAEV ET AL.	
	Examiner	Art Unit	
	Michael N. Opsasnick	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 January 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12 and 14-32* is/are rejected.

7)☒ Claim(s) *13* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Allowable Subject Matter

1. Claim 13 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

a. The following is a statement of reasons for the indication of allowable subject matter: As per claim 13, the recited limitations pertaining to the detailed process of finding a limited number of salient terms is not explicitly taught by the prior art of record.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,2,4-6,10-12,15,16,18-22,24,25,27-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Baker et al (5680511).

As per claims 1,5,15,19, 24 and 28, Baker et al (5680511) teaches a method for processing text after imperfect speech recognition (abstract) comprising:

"converting a speech document to text" (col. 8 line 59 – col. 9 line 9);

"processing.....salient terms" as picking out unrecognized words (col. 9 lines 4-9);

"displaying the text.....terms" as displaying the choice words to be analyzed (col. 10, lines 27-30).

As per claims 2,5,6,16,19,25 and 28, Baker et al (5680511) teaches:

"increasing.....text" as word could include punctuation or sentence structure (col. 10 lines 51-58);

"removing non-word...text" as using embedded characters for determining function, but not translation (col. 10 lines 49-60);

"determining high selectivity....text" as analyzing text according to a weighted frequency (col. 16 line 65 – col. 17 line 10; col. 5 lines 44-49);

"selecting terms.....selectivity" as choosing the terms according to a frequency threshold (col. 17 lines 1-6).

As per claims 4,18, and 27, Baker et al (5680511) teaches:

"creating....own speech" as performing speech recognition in an alternative typed document (col. 8 line 65 – col. 9 line 3); wherein the dictionary used is independent of the user (col. 15 lines 32-40,col. 15 line 50 – col. 16 line 17).

As per claims 10,20, and 29, Baker et al (5680511) teaches determining selectivity above a threshold (col. 16 line 65 – col. 17 line 10; col. 5 lines 44-49; col. 17 lines 1-6).

As per claims 11,21, and 30, Baker et al (5680511) teaches removing terms by not choosing or throwing the possible terms that do not apply (col. 13 lines 20-45).

As per claims 12,22, and 31, Baker et al (5680511) teaches:

"wherein the step of determining.....threshold" as selecting according to weighted frequency compared to a threshold (col. 16 line 65 – col. 17 line 10).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 3,7-9,14,17,23,26,32 rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al (5680511) in view of Mitchell et al (5799273).

As per claims 3,14,17,23,26, and 32, Baker et al (5680511) does not explicitly teach cursor positioning based on distance from salient terms, and replaying the document, however, Mitchell et al (5799273) teaches highlighting the word (Fig. 8a, subblock S51, fig. 8b, subblock S73), replacing the word, inserting the tag, and playback the audio to that point (Fig. 8a, subblocks S56-S57, and Fig. 14b). Therefore, it would have been obvious to one of ordinary skill in the art of speech/word recognition to modify the Baker reference with salient word highlighting and replaying of the audio because it would advantageously allow the user to determine if the word needed correcting or if the correction was accurate (col. 10 lines 29-40).

As per claims 7-9, the combination of Baker et al (5680511) in view of Mitchell et al (5799273) teaches displaying/highlighting the word (Fig. 8A, subblock S51, showing words that need to be corrected -- Fig. 14a, either non-recognized or incorrect), in a reverse video mode (Mitchell et al (5799273),col. 9 lines 1-10); examiner notes that Mitchell teaches the idea of changing the presentation of the salient terms, and that choosing different fonts would be an obvious design choice.

Response to Arguments

6. Applicant's arguments filed 1/31/05 have been fully considered but they are not persuasive. As per applicant's arguments that Baker does not emphasis salient terms, examiner disagrees and notes that Baker distinguishes between wanted and unwanted data -- applicants definition of salient is met by Baker, i.e., Baker's emphasizes in his invention that ambiguous

words have a level of selectivity – so that the focus is on finding the ambiguous words, and then showing possible matches for the ambiguous word (at this point, the emphasis shifts from the ambiguous word to the set of possible matches). As per the arguments on page 5, the combination of Baker in view of Mitchell teach the distinguishment between wanted and unwanted terms (as show in Baker, above).

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231
or faxed to:
(703) 872 9314,

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (571)272-7623, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Wayne Young, can be reached at (571)272-7582. The facsimile phone number for this group is (571)272-7629.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (571) 272-2600, the 2600 Customer Service telephone number is (571)272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mno
6/7/05

W. R. YOUNG
PRIMARY EXAMINER